

HOUSE TAXATION AND REVENUE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 343

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

AN ACT

RELATING TO TRAFFIC OFFENSES; MAINTAINING LEVELS OF FINES FOR
CERTAIN PARKING VIOLATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-7-352.5 NMSA 1978 (being Laws 1983,
Chapter 45, Section 5, as amended) is amended to read:

"66-7-352.5. UNAUTHORIZED USE--PENALTIES.--

A. It is unlawful for any person to park a motor
vehicle not displaying a special registration plate or a
parking placard issued pursuant to Section 66-3-16 NMSA 1978 in
a designated accessible parking space for persons with
significant mobility limitation.

B. It is unlawful for any person to park a motor
vehicle in such a manner so as to block access to any part of a
curb cut designed for access by persons with significant

.176919.1

underscored material = new
[bracketed material] = delete

1 mobility limitation.

2 C. A person convicted of violating Subsection A or
3 B of this section is subject to a fine of not less than two
4 hundred fifty dollars (\$250) or more than five hundred dollars
5 (\$500). Failure to properly display a parking placard or
6 special registration plate issued pursuant to Section 66-3-16
7 NMSA 1978 is not a defense against a charge of violation of
8 Subsection A or B of this section.

9 D. A vehicle parked in violation of Subsection A or
10 B of this section is subject to being towed at the expense of
11 the vehicle owner upon authorization by law enforcement
12 personnel or by the property owner or manager of a parking lot.

13 E. Whenever a local authority regulates the
14 unlawful conduct described in Subsections A and B of this
15 section by ordinance, resolution, rule, regulation or in
16 another enforceable manner, the local authority shall impose
17 finer equal to the fines imposed pursuant to Subsection C of
18 this section."